IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of	:	Lemons, et al.
Application No.	:	09/671,422
For	:	**SYSTEM AND METHOD FOR**
		DELIVERING FINANCIAL SERVICES
Filed	:	September 27, 2000
Examiner	:	Shih, S.
Art Unit	:	3624

EXPRESS MAIL NO. EV366599897US

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GROUP 3600

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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Transmitted herewith are copies of the following document(s) for filing in the above-identified application:

Request for Extension of Time Pursuant to 37 CFR 1.136(a) (in duplicate);
Response to Election/Restriction Requirement
Check in the amount of $2,010.00

Shown below are the fees for the presentation of the amended claims:

	Claims Remaining	Highest # Previously Paid For	Extra	Rate	Fee
TOTAL	50	86	0	$18	$ 0
Ind. Cls.	2	4	0	$84	$ 0

Multiple Dependent Claim Added...................................	NO
TOTAL	$ 0

The Commissioner is hereby authorized to charge any deficiency to Deposit Account Number 50-1458. A duplicate of this transmittal is attached for that purpose.

Respectfully submitted,

Date: 9/20/04

By: John M. Harrington (Reg. No. 25,592)

KILPATRICK STOCKTON LLP
607 14th Street NW, Suite 900
Washington, DC 20005
(202) 508-5800

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Lemons et al.
Application No:	09/671,422
Filing Date :	September 27, 2000
Title: :	SYSTEM AND METHOD FOR DELIVERING FINANCIAL SERVICES

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. § 1.181 FOR WITHDRAWAL OF NOTICE OF ABANDONMENT

Sir:

Pursuant to 37 C.F.R. § 1.181 and the Manual of Patenting Examining Procedure (MPEP) § 711.03(c), the undersigned representative hereby petitions the Commissioner of Patents to withdraw the holding of abandonment for the above-identified application. Rule 37 C.F.R. § 1.181 states in part:

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GROUP 3600

(a) Petition may be taken to the Commissioner:

    1) From any action or requirement of any examiner in the *ex parte* prosecution of an application, or in *ex parte* or *inter partes* prosecution of a reexamination proceeding which is not subject to appeal to the Board of Patent Appeals and Interferences or to the court;

    2) In cases in which a statute or the rules specify that the matter is to be determined directly by or reviewed by the Commissioner; and

    3) To invoke the supervisory authority of the Commissioner in appropriate circumstances. For petitions in interferences, see § 1.644.

(b) Any such petition must contain a statement of the facts involved and the point or points to be reviewed and the action requested. Briefs or memoranda, if any, in support thereof should accompany or be embodied in the petition; and where facts are to be proven, the proof in the form of affidavits or declarations (and exhibits, if any) must accompany the petition.

Similarly, section 711.03(c) of the MPEP states,

> Where an applicant contends that the application is not in fact abandoned (e.g., there is disagreement as to the sufficiency of the reply, or as to controlling dates), a petition under 37 CFR 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action, and such petition does not require a fee.

As required by 37 C.F.R. § 1.181(b), the undersigned representative sets forth a statement of the facts below and requests withdrawal of the holding of abandonment in the above-identified application and consideration of the timely filed response.

STATEMENT OF THE FACTS

1.   On September 20, 2004, applicants timely filed a "Response to Election/Restriction Requirement" ("the Response") together with a request and fee for five months extension of time extending the period for response to September 20, 2004, [September 19th being a Sunday] in response to an Office Action mailed March 19, 2004 . (Copy of the Response and accompanying documents are attached as Exhibit A).

2.   The Response was filed via Express Mail pursuant to 37 C.F.R. §1.10, and said Response was deposited with the United States Postal Service (USPS) on September 20, 2004 as is indicated by the hand written "date-in" field on the Express Mail receipt as well as the "date-in" stamp on the receipt. (Copy of the Express Mail receipt is attached as Exhibit B).

3.   Applicant accompanied the Response with a self-addressed stamped postcard to confirm receipt. As indicated on the return postcard, the Patent and Trademark Office stamped a "date-in" of September 20, 2004 on the postcard. (Copy of the front and back of the postcard is attached hereto as Exhibit C).
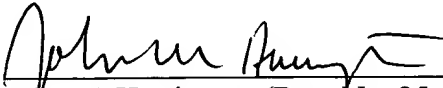
4.   Notwithstanding the timely filing of the Response, a Notice of Abandonment was improperly issued and mailed on September 22, 2004 in the above-identified application. The undersigned attorney discovered the existence of the improper Notice of Abandonment when the Notice of Abandonment was received in his office on September 24, 2004, and this Petition is being filed promptly and in a timely manner thereafter.

CONCLUSION

Based on the above-identified facts and attached exhibits, the undersigned representative respectfully requests that the improper Notice of Abandonment be withdrawn and the Response filed be considered.

Respectfully Submitted,

Date: 9/27/04

John M. Harrington (Reg. No. 25,592)

KILPATRICK STOCKTON LLP
607 14th Street, NW; Suite 900
Washington, DC 20005
(202) 508-5800

08-26-04

DAC.
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#9

EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number: EV 366599897 US

Date of Deposit: September 27, 2004

Type of Document(s):   Petition Under 37 CFR 1.181 For
                                              Withdrawal of Notice of Abandonment;
                                           Exhibit A – Response (12 pages);
                                           Exhibit B – Express Mail Receipt;
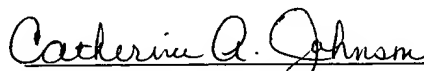   Exhibit C – Postcard (2 pages);
                                           Return Postcard

Serial No.:   09/671,422

Date Filed: September 27, 2000

I hereby certify that the documents identified above are being deposited with the United

States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the

date indicated above and are addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box

1450, Alexandria, VA 22313-1450.
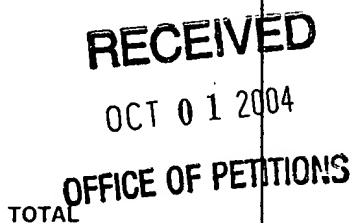
Catherine A. Johnson
Catherine A. Johnson

KILPATRICK STOCKTON LLP

WACHOVIA ACCOUNT NO: 2000131592388

DATE: 09-20-04   PAYEE: Commissioner of Patents &   VENDOR # 00511   CHECK #: 371899

REF.#:	G/L #	INVOICE #	INV. DATE	DESCRIPTION	AMT.PAID
628515	20999010000000000	092004	09-20-04	189148 Extension fee - five months	2,010.00

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PATENT & TRADEMARK OFFICE

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OFFICE OF PETITIONS

TOTAL   2,010.00

WARNING – THIS CHECK IS PROTECTED BY SPECIAL SECURITY GUARD PROGRAM™ FEATURES

KILPATRICK STOCKTON LLP
OPERATING ACCOUNT
1100 Peachtree Street
Atlanta, GA 30309-4530

DATE
09-20-04

WACHOVIA
Atlanta, GA 30383

NO. 371899
64-22/610

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PAY   TWO THOUSAND TEN AND 00/100 Dollars

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TO THE ORDER OF   Commissioner of Patents & Trademarks

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CHIEF FINANCIAL OFFICER

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EV 366599778 US

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)		
PO ZIP Code 37130	Day of Delivery ☑ Next ☐ Second	Flat Rate Envelope ☐		Delivery Attempt Mo. Day	Time ☐ AM ☐ PM	Employee Signature
Date In 9-20-04 Mo. Day Year	☑ 12 Noon ☐ 3 PM	Postage $ 13.65		Delivery Attempt Mo. Day	Time ☐ AM ☐ PM	Employee Signature
Time In 3:15 ☐ AM ☑ PM	Military ☐ 2nd Day ☐ 3rd Day	Return Receipt Fee		Delivery Date Mo. Day	Time ☐ AM ☐ PM	Employee Signature
Weight ___ lbs. 2 ozs.	Int'l Alpha Country Code	COD Fee	Insurance Fee			
No Delivery ☐ Weekend ☐ Holiday	Acceptance Clerk Initials DJM	Total Postage & Fees $ 13.65				

WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.
NO DELIVERY ☐ Weekend ☐ Holiday
_____ Customer Signature

CUSTOMER USE ONLY
METHOD OF PAYMENT:
Express Mail Corporate Acct. No. A271093

Federal Agency Acct. No. or Postal Service Acct. No.

FROM: (PLEASE PRINT)   PHONE (336) 607-7300

KILPATRICK STOCKTON LLP
1001 W 4TH ST
WINSTON SALEM   NC 27101-2419

J. Harrington
T0091/189148

TO: (PLEASE PRINT)   PHONE ( )

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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EXHIBIT B

In re application of: **Lemons et al.**
For: SYSTEM AND METHOD FOR
DELIVERING FINANCIAL SERVICES
Serial No.: 09/671,422
Express Mail No.: EV 366599778 US

The Following Was Received by the PTO:

☒ Express Mail Certificate (No. EV 366599778 US);
☒ Transmittal *(In Duplicate)*;
☒ Request for Extension of Time Pursuant to 37 CFR 1.136(a) *(In Duplicate)*;
☒ Response to Election/Restriction Requirement;
☒ Check for $2,010.00

Date Mailed to PTO: September 20, 2004
Client Matter No.: T0091/189148 (NTDS)
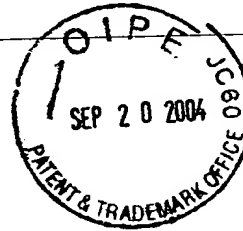
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GROUP 3600

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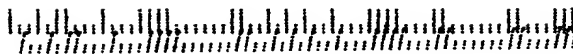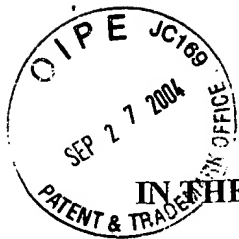OCT 0 1 2004
OFFICE OF PETITIONS

EXHIBIT C

USA 23

John M. Harrington, Esq.
Kilpatrick Stockton LLP
1001 West Fourth Street
Winston-Salem, NC 27101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LEMONS, Kyle et al.
Serial No.:	09/671,422
Filing Date:	September 27, 2000
For:	**SYSTEM AND METHOD FOR DELIVERING FINANCIAL SERVICES**
Examiner:	Sally Shih
Art Unit:	3624

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RESPONSE TO ELECTION/RESTRICTIONS REQUIREMENT

Sir:

This Response to Election/Restrictions Requirement is submitted in response to the Office Action mailed March 19, 2004 setting a one month period for response which expired on April 19, 2004. Applicants have filed herewith a request for a five-month extension of time, extending the period for response to September 20, 2004 (September 19th being a Sunday).

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

EXHIBIT A

Amendments to the Claims:

This listing of claims will replace all prior versions and listing of claims in the application:

Listing of Claims:

1.   (original) A method for managing a financial services delivery system component, comprising:

receiving a management request from an external system management component relative to a managed component;

translating the management request into a specific command relative to the managed component;

executing the command via an interface published by the managed component; and

providing a response to the management request.

2.   (original) The method of claim 1, wherein receiving the management request further comprises receiving the request by a management protocol agent.

3.   (original) The method of claim 1, wherein receiving the management request further comprises receiving the request via an external interface.

4.   (original) The method of claim 1, wherein translating the management request further comprises translating the request by a management protocol agent.

5.   (original) The method of claim 1, wherein translating the management request further comprises translating the request from a remote system management protocol into the specific command.

6.   (original) The method of claim 5, wherein translating the management request further comprises translating the request into at least one of an inquiry command, a stop command, and a start command.

7.   (original) The method of claim 5, wherein translating the management request further comprises translating the request into the specific command for a command dispatch agent.

8.   (original) The method of claim 7, wherein translating the management request further comprises sending the translated command to the command dispatch agent.

9.   (original) The method of claim 1, wherein executing the command further comprises obtaining the managed component from a component registry.

10.   (original) The method of claim 9, wherein executing the command further comprises obtaining the managed component from the component registry by a command dispatch agent.

11.   (original) The method of claim 9, wherein executing the command further comprises registering the managed component with the component registry.

12.   (original) The method of claim 1, wherein executing the command further comprises dispatching the command to the managed component.

13.   (original) The method of claim 12, wherein dispatching the command further comprises dispatching the command to the managed component by a command dispatch agent.

14.   (original) The method of claim 13, wherein dispatching the command by the command dispatch agent further comprises sending an inquire command to the managed component.

15.   (original) The method of claim 13, wherein dispatching the command by the command dispatch agent further comprises sending one of a stop command and a start command to the managed component.

16.   (original) The method of claim 1, wherein executing the command further comprises collecting at least one instrument owned by the managed component.

17.   (original) The method of claim 1, wherein executing the command further comprises inquiring about a value of at least one instrument owned by the managed component.

18.   (original) The method of claim 1, wherein executing the command further comprises obtaining a status of at least one instrument owned by the managed component.

3

19.   (original) The method of claim 1, wherein providing the response further comprises providing the response to the external system management component.

20.   (original) The method of claim 19, wherein providing the response further comprises providing the status of at least one instrument owned by the managed component to the external system management component.

21.   (original) The method of claim 19, wherein providing the response further comprises providing an acknowledgment of one of a stop command and a start command for the managed component to the external system management agent.

22.   (original) The method of claim 19, wherein providing the response further comprises providing the response via an external interface.

23.   (original) The method of claim 22, wherein providing the response further comprises providing the response by a management protocol agent.

24.   (original) The method of claim 1, wherein providing the response further comprises translating the response into a remote management system protocol format for an external system management component.

25.   (original) The method of claim 24, wherein providing the response further comprises translating the response by a management protocol agent.

26-43 (canceled)

44.   (original) A system for managing a financial services delivery system component, comprising:

means for receiving a management request from an external system management component relative to a managed component;

means for translating the management request into a specific command relative to the managed component;

means for executing the command via an interface published by the managed component; and

means for providing a response to the management request.

45.   (original) The system of claim 44, wherein the means for receiving the management request further comprises means for receiving the request by a management protocol agent.

46.   (original) The system of claim 44, wherein the means for receiving the management request further comprises means for receiving the request via an external interface.

47.   (original) The system of claim 44, wherein the means for translating the management request further comprises means for translating the request by a management protocol agent.

48.   (original) The system of claim 44, wherein the means for translating the management request further comprises means for translating the request from a remote system management protocol into the specific command.

49.   (original) The system of claim 48, wherein the means for translating the management request further comprises means for translating the request into at least one of an inquiry command, a stop command, and a start command.

50.   (original) The system of claim 48, wherein the means for translating the management request further comprises means for translating the request into the specific command for a command dispatch agent.

51.   (original) The system of claim 50, wherein the means for translating the management request further comprises means for sending the translated command to the command dispatch agent.

52.   (original) The system of claim 44, wherein the means for executing the command further comprises means for obtaining the managed component from a component registry.

53. (original) The system of claim 52, wherein the means for executing the command further comprises means for obtaining the managed component from the component registry by a command dispatch agent.

54. (original) The system of claim 52, wherein the means for executing the command further comprises means for registering the managed component with the component registry.

55. (original) The system of claim 44, wherein the means for executing the command further comprises means for dispatching the command to the managed component.

56. (original) The system of claim 55, wherein the means for dispatching the command further comprises means for dispatching the command to the managed component by a command dispatch agent.

57. (original) The system of claim 56, wherein the means for dispatching the command by the command dispatch agent further comprises means for sending an inquire command to the managed component.

58. (original) The system of claim 56, wherein the means for dispatching the command by the command dispatch agent further comprises means for sending one of a stop command and a start command to the managed component.

59. (original) The system of claim 44, wherein the means for executing the command further comprises means for collecting at least one instrument owned by the managed component.

60. (original) The system of claim 44, wherein the means for executing the command further comprises means for inquiring about a value of at least one instrument owned by the managed component.

61. (original) The system of claim 44, wherein the means for executing the command further comprises means for obtaining a status of at least one instrument owned by the managed component.

62. (original) The system of claim 44, wherein the means for providing the response further comprises means for providing the response to the external system management component.

63.   (original) The system of claim 62, wherein the means for providing the response further comprises means for providing the status of at least one instrument owned by the managed component to the external system management component.

64.   (original) The system of claim 62, wherein the means for providing the response further comprises means for providing an acknowledgment of one of a stop command and a start command for the managed component to the external system management agent.

65.   (original) The system of claim 62, wherein the means for providing the response further comprises means for providing the response via an external interface.

66.   (original) The system of claim 65, wherein the means for providing the response further comprises means for providing the response by a management protocol agent.

67.   (original) The system of claim 44, wherein the means for providing the response further comprises means for translating the response into a remote management system protocol format for an external system management component.

68.   (original) The system of claim 67, wherein the means for providing the response further comprises means for translating the response by a management protocol agent.
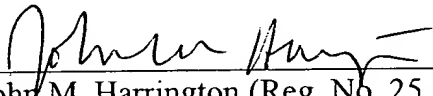
69-86 (canceled)

REMARKS   EXPRESS MAIL NO. *EV366599897US*

Applicants respectfully traverse the Election/Restrictions requirement on the grounds

that searching each of the inventions defined by the Examiner would not be a serious burden

on the Examiner. As required, in response to the Election/Restrictions requirement,

Applicants elect for further examination the invention considered by the Examiner to be set

forth in Group I, comprising claims 1-25 and 44-68 in the application, and claims 26-43 and

69-86 identified by the Examiner as Group II are cancelled without prejudice. The Examiner

is respectfully invited to telephone the undersigned at (336) 607-7318 to discuss any

questions relating to the application.

Respectfully submitted,

Date: _9/20/04_

John M. Harrington (Reg. No. 25,592)
for George T. Marcou (Reg. No. 33,014)

Kilpatrick Stockton LLP
607 14th Street, NW, Suite 900
Washington, DC 20005
(202) 508-5800

EXPRESS MAIL NO. EV3UU54 9S47US
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of	:	Lemons et al.
Serial No.	:	09/671,422
Filed	:	September 27, 2000
For	:	**SYSTEM AND METHOD FOR DELIVERING FINANCIAL SERVICES**
Art Unit	:	3624
Examiner	:	Shih, S.

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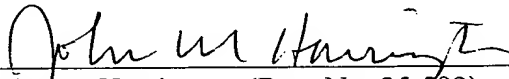## REQUEST FOR EXTENSION OF TIME PURSUANT TO 37 CFR 1.136(a)

Sir:

Applicants respectfully request a five-month extension of time in which to respond to the Office Action mailed March 19, 2004, in the above-identified patent application. This extension of time will extend the period for response up to and including September 20, 2004 (September 19th being a Sunday).

Enclosed is a check in the amount of $2,010.00 to cover the fees for this action. The Commissioner is hereby authorized to charge any additional fees required by this action, or credit any overpayment, to Deposit Account No. 50-1458. A duplicate of this sheet is enclosed for that purpose.

Respectfully submitted,

Date 9/20/0 4

John M. Harrington (Reg. No. 25,592)

Kilpatrick Stockton LLP
607 14th Street NW, Suite 900
Washington, DC 20005
(202) 508-5800